

FILED: September 24, 1993

APPLICANT(S): Wallace et al. (INLA)

THE PATENT AND TRADEMARK OFFICE STAMP
HEREON ACKNOWLEDGES RECEIPT OF THE ABOVE-
IDENTIFIED APPLICATION, INCLUDING THE FOLLOWING PAPERS:

FEES \$ 710.00

RULE 60 CONTINUATION, WITH:

- COPY OF ORIGINAL APPLICATION
- COPY OF ORIGINAL DECLARATION
- COPY OF ORIGINAL DRAWINGS (IF ANY)

RULE 60 DIVISIONAL, WITH:

- COPY OF ORIGINAL APPLICATION
- COPY OF ORIGINAL DECLARATION
- COPY OF ORIGINAL DRAWINGS (IF ANY)

RULE 62 CONTINUATION

(Abandon DIVISIONAL
Parent) CONTINUATION-IN-PART

EXTENSION OF TIME

TRADEMARK APPLICATION, WITH:

DRAWING SPECIMENS

OTHER _____

U.S. NAT'L PHASE OF INT'L APPLN.

B&N-4

DOCKET NO.: W-141-4A

[PARENT CASE NO.: W-141-07/625,668]



08/126016

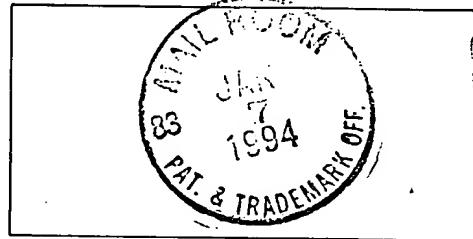
- NEW ORIGINAL APPLICATION
- SUBMISSION UNDER 37 CFR 1.53
- CONTINUATION-IN-PART
- DESIGN APPLICATION
- _____ SHEETS OF DRAWINGS
- TRANSMITTAL LETTER
- PRELIMINARY AMENDMENT
- SMALL ENTITY STATEMENT(S)
- INFORMATION DISCLOSURE
- PRIORITY DOCUMENT(S)
- ASSIGNMENT

Initials: Jin
2 card of 2

APPLICANT(S) Wallach et al. DKT NO. WALLACH=4A
SERIAL NO. 08/126,916 FILED September 24, 1993

THE PATENT AND TRADEMARK OFFICE
STAMP HEREON ACKNOWLEDGES RE-
CEIPT OF THE FOLLOWING PAPERS:

- FEES \$ _____ (CHARGE AUTH.)
 MISSING PARTS RESPONSE W/DECL.
 AMENDMENT
 RESPONSE
 NOTICE OF APPEAL
 APPEAL BRIEF (TRIPPLICATE)
 ASSIGNMENT
 EXTENSION OF TIME (_____ MONTHS)
 PRIORITY DOCUMENT(S)
 LETTER TO DRAFTSMAN
 VERIFIED STATEMENT(S) UNDER 37 CFR 1.9 AND 1.27
 OTHER 1 reference, 66-2,215,101
- ISSUE FEE TRANSMITTAL FORM
 DECLARATION UNDER § _____
 INFORMATION DISCLOSURE STATEMENT
 _____ SHEETS OF DRAWINGS
 TRANSMITTAL LETTER
 MAINTENANCE FEE LETTER



B&N-1

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 1812
WALLACH et al.)
Serial No.: 08/126,016) Examiner: Washington, D.C.
Filed: September 24, 1993) July 26, 1994
For: EXPRESSION OF THE) Docket No.: WALLACH=4A
RECOMBINANT TUMOR)

REQUEST FOR STATUS

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Applicant hereby respectfully requests information
regarding the status of the above identified patent application.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By: N.J. Latker
Norman J. Latker
Reg. No. 19,963

NJL:bjm
419 Seventh Street, N.W.
Washington, D.C. 20004
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Art Unit: 1812
WALLACH et al)
Serial No.: 08/126,016) Examiner:
Filed: September 24, 1993) Washington, D.C.
For: EXPRESSION OF THE) July 6, 1995
RECOMBINANT TUMOR) Docket No.: WALLACH=4A

SECOND REQUEST FOR STATUS

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

The above-identified application was filed on September 24, 1993. A copy of the official post card receipt indicating what serial number had been assigned is attached hereto. To date, no filing receipt has been received, nor has any other acknowledgement of the filing of this case (other than the attached post card). Another request for status was filed on July 26, 1994, to which no response was ever received.

Applicant hereby respectfully requests information regarding the status of the above identified patent application. The courtesy of an acknowledgment of receipt of this status request is respectfully urged.

Respectfully submitted,

BROWDY AND NEIMARK
Attorneys for Applicant(s)

By: Roger L. Browdy
Roger L. Browdy
Reg. No. 25,618

419 Seventh Street, N.W.
Washington, D.C. 20004
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application: 07/625,668
Examiner: Carlson, K.
Art Unit: 1212
Date: September 24, 1993
Attorney's Docket Number: WALLACH=4A

Request Form for File Wrapper Continuing Application under 37 CFR 1.62

Commissioner of Patents and Trademarks
Box FWC
Washington, D.C. 20231

Sir:

This is a request for filing a (X) continuation () divisional () continuation-in-part application under 37 CFR 1.62 of prior application Serial No. 07/625,668, filed on December 13, 1990, entitled EXPRESSION OF THE RECOMBINANT TUMOR NECROSIS FACTOR BINDING PROTEIN I (TBP-I), by the following named inventor(s):

| | | | |
|---------------------------|---|-----------------------------|------------------------------|
| FULL NAME OF INVENTOR | FAMILY NAME WALLACH | FIRST GIVEN NAME David | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Rehovot | STATE OR COUNTRY Israel | CITIZEN OF Israel |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS 24 Borochov Street | CITY Rehovot | ST. & ZIP/COUNTRY israel |
| FULL NAME OF 2ND INVENTOR | FAMILY NAME NOPHAR | FIRST GIVEN NAME Yaron | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Ramat Gan | STATE OR COUNTRY Israel | CITIZEN OF israel |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS 56, Bialic Street | CITY Ramat Gan 52441 | ST. & ZIP/COUNTRY Israel |
| FULL NAME OF 3RD INVENTOR | FAMILY NAME KEMPER | FIRST GIVEN NAME Oliver | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Bockenheim | STATE OR COUNTRY Germany | CITIZEN OF Germany |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS Anemonen Weg 10 | CITY 6719 Bockenheim | ST. & ZIP/COUNTRY Germany |
| FULL NAME OF 4TH INVENTOR | FAMILY NAME ENGELMANN | FIRST GIVEN NAME Hartmut | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Munich | STATE OR COUNTRY Germany | CITIZEN OF Germany |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS Joseph-Lutz-Weg 35 | CITY 8000 Munich | ST. & ZIP/COUNTRY Germany |

| | | | |
|---------------------------|--|--------------------------|---------------------------|
| FULL NAME OF 5TH INVENTOR | FAMILY NAME BRAKEBUSCH | FIRST GIVEN NAME Cord | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Braunschweig | STATE OR COUNTRY Germany | CITIZEN OF Germany |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS Salzdahlumer Weg 9 | CITY 3300 Braunschweig | ST. & ZIP/COUNTRY Germany |
| FULL NAME OF 6TH INVENTOR | FAMILY NAME ADERKA | FIRST GIVEN NAME Dan | SECOND GIVEN NAME |
| RESIDENCE & CITIZENSHIP | CITY Holon | STATE OR COUNTRY Israel | CITIZEN OF Israel |
| POST OFFICE ADDRESS | POST OFFICE ADDRESS 4, Avivim Street | CITY Holon | ST. & ZIP/COUNTRY Israel |

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the date which the PTO accepts as the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 CFR 1.60 may be used for applications where the prior application is not to be abandoned).

1. [X] Enter the amendment previously filed on September 24, 1993, under 37 CFR 1.116, but unentered in the prior application. If the examiner enters the amendment of September 24, 1993, in the prior application, then this paragraph is no longer applicable and should be disregarded.

2. [] A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

| For | Number Filed | Number Extra | Rate | Calculations |
|---|--------------|--------------|-----------|--------------------|
| Total Claims | 9 | -20 = = | x \$22.00 | \$ 0 |
| Independent Claims | 3 | -03 = = | x \$74.00 | 0 |
| Multiple Dependent Claim(s) (if applicable) | | | | + \$230.00 |
| | | | | Basic Fee + 710.00 |
| Total of above Calculations = | | | | 710.00 |
| Reduction by 1/2 for filing by small entity (note 37 CFR 1.9, 1.27, 1.28) if applicable. Statement must be of record. | | | | - |
| Total national fee = | | | | \$ 710.00 |

3. [X] The Commissioner is hereby authorized to credit any overpayment of fees to Deposit Account No. 02-4035.

4. [] The Commissioner is authorized to charge \$ _____ to Deposit Account No. 02-4035. A duplicate copy of this sheet is enclosed.

5. [X] A check in the amount of \$ 710.00 is enclosed.

6. [] A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

7. [X] Amend the specification by inserting before the first line the sentence: --This application is a (X) continuation () divisional () continuation-in-part of application Serial No. 07/625,668, filed December 13, 1990.--

8. [] A verified statement claiming small entity status was filed in the prior application.

9. [X] Priority of applications Serial No. 92697, filed on December 13, 1989, in Israel, and Serial No. 95064, filed on July 12, 1990, in Israel are claimed under 35 U.S.C. 119.

10. [X] The prior application is assigned of record to Yeda Research and Development Co. Ltd.

11. The power of attorney in the prior application includes the following:

| | |
|--|--|
| <u>X</u> ALVIN BROWDY, Reg. No. 16,260 | <u>X</u> SHERIDAN NEIMARK, Reg. No. 20,520 |
| <u>X</u> ROGER L. BROWDY, Reg. No. 25,618 | <u>X</u> A. FRED STAROBIN, Reg. No. 18,453 |
| <u>X</u> ANNE M. KORNBAU, Reg. No. 25,884 | <u>X</u> IVER P. COOPER, Reg. No. 28,005 |
| <u>X</u> NORMAN J. LATKER, Reg. No. 19,963 | |
| (* Patent Agent) | |

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

| | |
|--|--|
| ADDRESS ALL CORRESPONDENCE TO: BROWDY AND NEIMARK 419 Seventh Street, N.W. Washington, D.C. 20004 | DIRECT ALL TELEPHONE CALLS TO: BROWDY AND NEIMARK (202) 628-5197 |
|--|--|

12. [] Also enclosed:

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application to deposit account No. 02-4035. This authorization and request is not limited to payment of any portion of the filing fees under 37 CFR 1.16 not covered by the authorization of paragraphs 4 and 5 above, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of this case. With respect to issue fees arising under 37 CFR 1.18, applicant authorizes payment only on the last day of the period initially set for payment of such fee, if not by then already paid, by charging to the account of the undersigned, No. 02-4035.

The Commissioner is likewise authorized to credit any overpayment to said deposit account.

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file wrapper.

September 24, 1993

Roger L. Browdy
Reg No. 25,618

Inventor(s) Attorney or agent of record
 Assignee of Filed under 37 CFR 1.34(a)
 complete interest

RLB:atm

11/09/95 11:13

703 308 240

002

O-103X
IV. 8-95)FILING RECEIPT
DUPLICATE

UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTORNEY DOCKET NO. | DRWGS | TOT CL | IND CL |
|--------------------|-------------|--------------|---------------|---------------------|-------|--------|--------|
| 08/126,016 | 09/24/93 | 1812 | \$710.00 | WALLACH4A | 7 | 9 | 3 |

BROWDY AND NEIMARK
 419 SEVENTH STREET, N.W.
 WASHINGTON, DC 20004

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s)

DAVID WALLACH, REHOVOT, ISRAEL; YARON NOPHAR, RAMAT GAN, ISRAEL; OLIVER KEMPER, BOCKENHEIM, FED REP GERMANY; HARTMUT ENGELMANN, MUNICH, FED REP GERMANY; CORD BRAKEBUSCH, BRAUNSCHWEIG, FED REP GERMANY; DAN ADERKA, HOLON, ISRAEL.

CONTINUING DATA AS CLAIMED BY APPLICANT-
 THIS APPLN IS A CON OF 07/625,668 12/13/90

TITLE
 EXPRESSION OF THE RECOMBINANT TUMOR NECROSIS FACTOR BINDING PROTEIN I
 (TBP-I)

PRELIMINARY CLASS: 435